IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

NOTICE OF MOTION NO.125 OF 2006

IN

INSOLVENCY PEITION NO.3 OF 2006
WITH
INSOLVENCY PETITION NO.21 OF 2006

SICOM LTD. . ...Petitioning Creditor

Versus

M. Khandelwal & Anr. ...Debtors.

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Mr. P. V. Shah for the Petitioning Creditor.
Mr.K. R. Bulchandani i/b. P.Kumar & Co. for Debtors.

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CORAM : DR. D.Y. CHANDRACHUD, J.

October 17, 2006.

P.C.:

It is common ground between the Counsel that the Notice of Motion that has been taken out for setting aside the ex-parte decree (Notice of Motion 3422 of 2006 in Summary Suit 2838 of 2000) was moved this morning before a Learned Single Judge and an ad-interim order has been passed in terms of prayer clause (c) of the Notice of Motion staying execution of the decree. In that view of the matter, both the Motion as well as the Insolvency

Petition are adjourned *sine die*. It would be open to the parties or any one of them to apply for the listing of the Motion and Insolvency Petition after the aforesaid Notice of Motion for setting aside the ex-parte decree is disposed of. Counsel appearing on behalf of the Petitioning Creditor has assured the Court that in view of the ad-interim order passed in the Notice of Motion, the Insolvency Petition shall not be pursued further until the motion is disposed of.

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